

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/541,290	RAINES, RICHARD D	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lars A. Olson	3617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received from the applicant on June 23, 2006.
2. ☒ The allowed claim(s) is/are 1,2,4-12,14-16,18-25 and 27-33.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### Reasons for Allowance

1. An amendment was received from the applicant on June 23, 2006.
2. Claims 3, 13, 17 and 26 have been canceled.
3. Claims 1, 2, 4-12, 14-16, 18-25 and 27-33 are allowed.
4. The following is an examiner's statement of reasons for allowance. The pile anchor as claimed is not shown or suggested in the prior art because of the use of a pile anchor that is comprised of an elongated hollow member, a two-way flow valve that is mounted on said member, a load transfer device for connecting an anchor line to said member, and first and second longitudinally disposed vanes that extend outwardly from an outer surface of said member, where said first and second vanes are attached through first and second slots in said member. The prior art also does not show or suggest the use of said pile anchor in combination with first and second vanes that are attached to said member at an angle relative to a plane tangent to said member and are located in two separate planes that form an angle at the point of attachment, or first and second vanes that are curved or semi-circular, or first and second vanes that form a single planar vane that is attached to a backside of said member, or first vane elements that are attached perpendicular to a plane tangent to said member and second vane elements that are each attached to a first vane element at an angle.
5. The prior art as disclosed by Hogervorst (US 4,318,641) shows the use of a pile anchor that is comprised of an elongated hollow tubular member, a two-way flow valve that is located on said member, and a load transfer device for connecting an anchor line

to said member. Deike (US 3,969,853) discloses a torque fin anchor that is comprised of an elongated hollow tubular member and a plurality of longitudinally disposed planar fins that extend outwardly from an outer surface of said member. Therefore, none of the prior art cited shows or suggests the use of a pile anchor that is comprised of an elongated hollow member, a two-way flow valve that is mounted on said member, a load transfer device for connecting an anchor line to said member, and first and second longitudinally disposed vanes that extend outwardly from an outer surface of said member, where said first and second vanes are attached through first and second slots in said member. The prior art also does not show or suggest the use of said pile anchor in combination with first and second vanes that are attached to said member at an angle relative to a plane tangent to said member and are located in two separate planes that form an angle at the point of attachment, or first and second vanes that are curved or semi-circular, or first and second vanes that form a single planar vane that is attached to a backside of said member, or first vane elements that are attached perpendicular to a plane tangent to said member and second vane elements that are each attached to a first vane element at an angle.

### ***Conclusion***

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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7. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (571) 272-6685.

lo

July 10, 2006

LARS A. OLSON  
PRIMARY EXAMINER

*Lars Olson*  
7/10/06